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HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2505 OF 2007.

R. D. Kharat. ..Petitioner.  
Versus.

Mumbai Agri. Produce Market  
Committee, Navi Mumbai  
& others. ..Respondents.

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Smt. B. P. Jakhade for the petitioner.

CORAM: S. B. MHASE &  
R.S.MOHITE, JJ.  
DATE: JUNE 8, 2007.

P.C.

1. Heard learned counsel for the petitioner. Petitioner claims that he is a physically handicapped person and therefore a Gala should be granted to him. However there is no advertisement by the Market Committee for the allotment of the galas. Equally, the Petitioner is not a trader. The petitioner states that he shall be given place for telephone booth or snack bar. However, unless the Market Committee desires to have the telephone booth or Snack Bar and reserves the place for that purpose we cannot enforce the Market Committee for allotment of the Snack Bar. Under these circumstances, the petition cannot be entertained. However, if the Market Committee desires to have these services the petitioner is at liberty to make an appropriate application at an appropriate stage. We

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make it clear that the liberty, as we have given, does not mean that we have directed that the Telephone Booth or Snack Bar should be given only to the petitioner. It is made clear that when occasion arises the Market Committee will consider such application on its own merits, as per Rules. Petition is therefore, dismissed.

(R.S.MOHITE, J.)

(S.B.MHASE, J.)